

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

LLOYD MC COG
TDCJ-CID #1207576
V.
DOUGLAS DRETKE

§
§
§ C.A. NO. C-05-512
§
§

ORDER OF TRANSFER

This is a habeas action filed by a state prisoner incarcerated at the McConnell Unit in Beeville, Texas (D.E. 1). Petitioner states that he was convicted in the 282nd Judicial District Court, Dallas County, Texas.

A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); *Wadsworth v. Johnson*, 235 F.3d 959 (5th Cir. 2000). Petitioner's place of incarceration is located in the Southern District of Texas, Corpus Christi Division, and he was convicted by a court located in the Northern District, of Texas, Dallas Division. 28 U.S.C. §§ 126(b)(6); 124(a)(1).

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a); 28 U.S.C. § 2241(d). Because the records of Petitioner's conviction are in Dallas County, and the lawyers and witnesses in the case are in Dallas County, it is more convenient for the action to be handled by the Northern District of Texas, Dallas Division.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Northern District of Texas, Dallas Division. All pending motions are denied without prejudice, subject to reconsideration after this action is transferred.

ORDERED this 18th day of October, 2005.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE